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<b>TRANSMITTAL FORM</b>  (to be used for all correspondence after initial filing)		Application Number	09/780,273
		Filing Date	February 9, 2001
		First Named Inventor	FROSETH, BARRIE R.
		Group Art Unit	1761
		Examiner Name	
Total Number of Pages in This Submission	7+37 Refs	Attorney Docket Number	5390USA
<b>ENCLOSURES (check all that apply)</b>			
<input type="checkbox"/> Fee Transmittal Form <input type="checkbox"/> Fee Attached	<input type="checkbox"/> Assignment Papers (for an Application) <input type="checkbox"/> Drawing(s)	<input type="checkbox"/> After Allowance Communication to Group <input type="checkbox"/> Appeal Communication to Board of Appeals and Interferences	
<input type="checkbox"/> Amendment / Reply <input type="checkbox"/> After Final <input type="checkbox"/> Affidavits/declaration(s)	<input type="checkbox"/> Licensing-related Papers <input type="checkbox"/> Petition	<input type="checkbox"/> Appeal Communication to Group (Appeal Notice, Brief, Reply Brief)	
<input type="checkbox"/> Extension of Time Request <input type="checkbox"/> Express Abandonment Request	<input type="checkbox"/> Petition to Convert to a Provisional Application <input type="checkbox"/> Power of Attorney, Revocation Change of Correspondence Address	<input type="checkbox"/> Proprietary Information <input type="checkbox"/> Status Letter	
<input checked="" type="checkbox"/> Supplemental Information Disclosure Statement	<input type="checkbox"/> Terminal Disclaimer <input type="checkbox"/> Request for Refund	<input checked="" type="checkbox"/> Other Enclosure(s) (please identify below): - Return Postcard - Fee Transmittal - 37 References	
<input type="checkbox"/> Certified Copy of Priority Documents <input type="checkbox"/> Response to Missing Parts/Incomplete Application <input type="checkbox"/> Response to Missing Parts under 37 CFR 1.52 or 1.53	<input type="checkbox"/> CD, Number of CD(s) _____		
		Remarks	
<b>SIGNATURE OF APPLICANT, ATTORNEY, OR AGENT</b>			
Firm or Individual Name	JOHN A. O'TOOLE		
Signature	<i>John A. O'Toole</i>		
Date	August 19, 2004		

<b>CERTIFICATE OF MAILING</b>	
I hereby certify that this correspondence is being deposited with the United States Postal Service with sufficient postage as first class mail in an envelope addressed to: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450 on this date:	
Typed or printed name	KARLA K. WEIS
Signature	<i>Karla K. Weis</i>
Date	8-20-04

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30173

PATENT TRADEMARK OFFICE



IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In Re.: Patent Application of  
FROSETH, BARRIE R.  
BOWERS, RAYMOND  
DICKSON, KATY  
GEDDIS, MICHAEL E.  
JOY, MYER

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AUG 30 2004  
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Serial No.: 09/780,273

Filed: February 9, 2001

For: CUSTOMIZED FOOD SELECTION, ORDERING AND  
DISTRIBUTION SYSTEM AND METHOD

Docket No.: 5390USA

SUPPLEMENTAL INFORMATION DISCLOSURE STATEMENT

Mail Stop Amendment  
Commissioner for Patents  
PO Box 1450  
Alexandria, VA 22313-1450

Dear Sir:

Applicant herewith submits Substitute for Form 1449A/PTO identifying certain references which the Examiner may wish to consider in examining the above-identified application. No representation is made that any of these cited references constitute prior art against the presently claimed subject matter.

Copies of the references are included. English abstracts are relied upon as a statement of pertinency for the German reference, DE 4323788, and the Japanese reference, WO 00/24273.

08/25/2004 SSESHE1 00000145 070900 09780273

01 FC:1806 180.00 DA



# FEE TRANSMITTAL for FY 2004

Effective 10/01/2003. Patent fees are subject to annual revision.

☐ Applicant claims small entity status. See 37 CFR 1.27

TOTAL AMOUNT OF PAYMENT (\$180.00)

## Complete if Known

Application Number 09/780,273  
Filing Date February 9, 2001  
First Named Inventor FROSETH, BARRIE R.  
Examiner Name  
Art Unit  
Attorney Docket No. 5390USA

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## METHOD OF PAYMENT (check all that apply)

☐ Check ☐ Credit Card ☐ Money Order ☐ Other ☐ None☒ Deposit Account:Deposit  
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Account  
Name

07-0900

GENERAL MILLS, INC.

The Director is authorized to: (check all that apply)

☒ Charge fee(s) indicated below ☒ Credit any overpayments☒ Charge any additional fee(s) or any underpayment of fee(s)☐ Charge fee(s) indicated below, except for the filing fee to the above-identified deposit account.

## FEE CALCULATION

## 1. BASIC FILING FEE

Large Entity Fee Code (\$)	Small Entity Fee Code (\$)	Fee Description	Fee Paid
1001 770	2001 385	Utility filing fee	
1002 340	2002 170	Design filing fee	
1003 530	2003 265	Plant filing fee	
1004 770	2004 385	Reissue filing fee	
1005 160	2005 80	Provisional filing fee	

SUBTOTAL (1) (\$)

## 2. EXTRA CLAIM FEES FOR UTILITY AND REISSUE

Total Claims	Extra Claims	Fee from below	Fee Paid
-20**=	x	=	
Indep. Claims -3**=	x	=	
Multiple Dependent			

Large Entity Fee Code (\$)	Small Entity Fee Code (\$)	Fee Description
1202 18	2202 9	Claims in excess of 20
1201 86	2201 43	Independent claims in excess of 3
1203 290	2203 145	Multiple dependent claim, if not paid
1204 86	2204 43	** Reissue independent claims over original patent
1205 18	2205 9	** Reissue claims in excess of 20 and over original patent

SUBTOTAL (2) (\$)

\*\*or number previously paid, if greater; For Reissues, see above.

## FEE CALCULATION (continued)

## 3. ADDITIONAL FEES

Large Entity Fee Code (\$)	Small Entity Fee Code (\$)	Fee Description	Fee Paid
1051 130	2051 65	Surcharge - late filing fee or oath	
1052 50	2052 25	Surcharge - late provisional filing fee or cover sheet	
1053 130	1053 130	Non-English specification	
1812 2,520	1812 2,520	For filing a request for ex parte reexamination	
1804 920*	1804 920*	Requesting publication of SIR prior to Examination action	
1805 1,840*	1805 1,840*	Requesting publication of SIR after Examiner action	
1251 110	2251 55	Extension for reply within first month	
1252 420	2252 210	Extension for reply within second month	
1253 950	2253 475	Extension for reply within third month	
1254 1,480	2254 740	Extension for reply within fourth month	
1255 2,010	2255 1,005	Extension for reply within fifth month	
1401 330	2401 165	Notice of Appeal	
1402 330	2402 165	Filing a brief in support of an appeal	
1403 290	2403 145	Request for oral hearing	
1451 1,510	1451 1,510	Petition to institute a public use proceeding	
1452 110	2452 55	Petition to revive - unavoidable	
1453 1,330	2453 665	Petition to revive - unintentional	
1501 1,330	2501 665	Utility issue fee (or reissue)	
1502 480	2502 240	Design issue fee	
1503 640	2503 320	Plant issue fee	
1406 130	1460 130	Petitions to the Commissioner	
1807 50	1807 50	Processing fee under 37 CFR 1.17(q)	
1806 180	1806 180	Submission of Information Disclosure Stmt	\$180
8021 40	8021 40	Recording each patent assignment per property (times number of properties)	
1809 770	2809 385	Filing a submission after final rejection (37 CFR § 1.129(a))	
1810 770	2810 385	For each additional invention to be examined (37 CFR § 1.129(b))	
1801 770	2801 385	Request for Continued Examination (RCE)	
1802 900	1802 900	Request for expedited examination of a design application	

Other fee (specify)

\*Reduced by Basic Filing Fee Paid

SUBTOTAL (3) (\$180)

## SUBMITTED BY

## Complete (if applicable)

Name (Print/Type)	JOHN A. O'TOOLE	Registration No. (Attorney/Agent)	28,336	Telephone	763-764-2422
Signature	<i>John A. O'Toole</i>	Date	08/13/2004		

WARNING: Information on this form may become public. Credit card information should not be included on this form. Provide credit card information and authorization on PTO-2038.

This collection of information is required by 37 CFR 1.17 and 1.27. The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.14. This collection is estimated to take 12 minutes to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450

If you need assistance in completing the form, call 1-800-PTO-9199 and select option 2.



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The Commissioner is hereby authorized to charge the required fee to Deposit Account 07-0900 in order to have this Supplemental Information Disclosure Statement considered.

Respectfully submitted,

FROSETH, BARRIE R.  
BOWERS, RAYMOND  
DICKSON, KATY  
GEDDIS, MICHAEL E.  
JOY, MYER

I hereby certify that this document is being deposited with the United States Postal service as first class mail in an envelope addressed to:  
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Commissioner for Patents  
PO Box 1450  
Alexandria, VA 22313-1450  
on: August 20, 2004  
Karla K. Weiss  
Signature

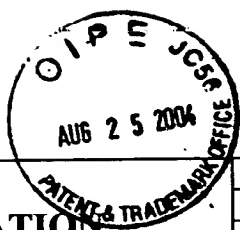
By:

John A. O'Toole 8/19/04  
John A. O'Toole  
Attorney for Applicants  
Reg. No. 28,336  
Minneapolis, MN  
(763) 764-2422



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PATENT TRADEMARK OFFICE



# **INFORMATION DISCLOSURE STATEMENT BY APPLICANT**

## **Complete If Known**

Application Number	09/780,273
Filing Date	February 9, 2001
First Named Inventor	FROSETH, BARRIE R.
Group Art Unit	
Examiner Name	
Attorney Docket Number	5390USA

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Sheet 1 of 3

Title: CUSTOMIZED FOOD SELECTION, ORDERING AND DISTRIBUTION SYSTEM AND METHOD

## **U.S. PATENT DOCUMENTS**

Examiner Initial	Cite No.	Document Number	Name of Patentee or Applicant of Cited Document	Date of Publication of Cited Document MM-DD-YYYY	Class	Subclass
	AA	3,843,814	Grunewald-Kirstein	10-22-1974		
	AB	3,851,574	Katz et al.	12-03-1974		
	AC	4,751,090	Belleson et al.	06-14-1988		
	AD	4,767,635	Merritt et al.	08-30-1988		
	AE	4,904,488	LaBow et al.	02-27-1990		
	AF	4,918,182	Jackson et al.	04-17-1990		
	AG	5,120,563	Mohlenkamp, Jr. et al.	06-09-1992		
	AH	5,196,218	Schwab et al.	03-23-1993		
	AI	5,200,222	Schwab et al.	04-06-1993		
	AJ	5,284,666	Graf	02-08-1994		
	AK	5,338,556	Schwab et al.	08-16-1994		
	AL	5,443,858	Jensen et al.	08-22-1995		
	AM	5,650,084	Bley	07-22-1997		
	AN	5,747,091	Denhartog et al.	05-05-1998		
	AO	5,750,166	Schellhaass	05-12-1998		
	AP	5,753,287	Chedid et al.	05-19-1998		
	AQ	5,919,505	Monsalve et al.	07-06-1999		
	AR	5,952,026	Greenway et al.	09-14-1999		
	AS	5,993,869	Freeport	11-30-1999		
	AT	6,099,877	Schuppan	08-08-2000		
	AU	6,248,379	Capodieci	06-19-2001		



**INFORMATION  
DISCLOSURE STATEMENT  
BY APPLICANT**

Complete If Known

Application Number	09/780,273
Filing Date	February 9, 2001
First Named Inventor	FROSETH BARRIE R
Group Art Unit	
Examiner Name	
Attorney Docket Number	GMI 5390USA

Sheet 2 of 3

Title: CUSTOMIZED FOOD SELECTION, ORDERING AND DISTRIBUTION SYSTEM AND METHOD

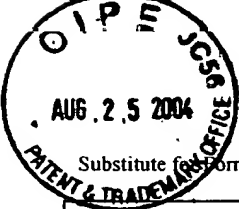
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**FOREIGN PATENT DOCUMENTS**

Examiner Initial	Cite No.	Foreign Patent Number			Name of Patentee or Applicant of Cited Document	Date of Publication of Cited Document MM-DD-YYYY	Pages, Columns, Lines, Where Relevant Passages or Relevant Figures Appear
		Office	Document Number	Kind			
	AV	DE	4323788	C1	Link	07-15-1993	
	AW	EP	0260979	B1	Tate & Lyle	03-23-1988	
	AX	EP	0375122	B1	Warner-Lambert	07-27-1994	
	AY	EP	1177728	A1	San-El Gen F.F.I.	02-06-2002	
	AZ	GB	2197575	A	Tate & Lyle	05-25-1988	
	BA	WO	00/24273		San-El Gen F.F.I.	05-04-2000	

**OTHER ART – NON PATENT LITERATURE DOCUMENTS**

Examiner Initial	Cite No.	Author, Title, Date, Pertinent Pages, Etc.
	BB	Decareau, R.V., MICROWAVE FOODS: NEW PRODUCT DEVELOPMENT, Copyright 1992, by Food & Nutrition Press, Inc., pp. 48-50.
	BC	"Jolly Time Pop-ularity Contest", from Internet website <a href="http://www.newstimes.rway.com">www.newstimes.rway.com</a> , April 3, 2002
	BD	Francis, Encyclopedia of Food Science and Technology, 2000, John Wiley & Sons, Inc., Second Edition, Volumes 2 & 4, pps. 859-860, 2253-2254
	BE	"Sugar Free Caramel Popcorn", Healthy Exchanges Message Boards and Online Support, from Internet website <a href="http://www.healthyexchanges.com">www.healthyexchanges.com</a> , November 26, 2000
	BF	"Tidbits: How Slightly Sweet It Is!", from Internet website <a href="http://www.startribune.com">www.startribune.com</a> , February 2, 2002
	BG	"Two Top Foods You Miss the Most", Google Groups, Newsgroups: alt.support.diet.low-carb, <a href="http://groups.google.com">http://groups.google.com</a> , December 9, 1999
	BH	"Artificial Sweetener You Can Bake With?", Google Groups, Newsgroups: misc.health.diabetes, <a href="http://groups.google.com">http://groups.google.com</a> , June 6, 1999
	BI	"Can Sucralose be Carmelized?", Google Groups, Newsgroups: alt.support-.diet.low-carb, <a href="http://groups.google.com">http://groups.google.com</a> , January 21, 2000



Substitute Form 1449A/PTO

<b>INFORMATION DISCLOSURE STATEMENT BY APPLICANT</b>				<b>Complete If Known</b>	
				Application Number	09/780,273
				Filing Date	February 9, 2001
				First Named Inventor	FROSETH, BARRIE R.
				Group Art Unit	
				Examiner Name	
				Attorney Docket Number	5390USA
Sheet	3	of	3	Title: CUSTOMIZED FOOD SELECTION, ORDERING AND DISTRIBUTION SYSTEM AND METHOD	

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**OTHER ART – NON PATENT LITERATURE DOCUMENTS - CONTINUED**

Examiner Initial	Cite No.	Author, Title, Date, Pertinent Pages, Etc.
	BJ	"Sugar Alcohol??", Google Groups, Newsgroups: misc.health.diabetes, <a href="http://groups.google.com">http://groups.google.com</a> , January 19, 2001
	BK	International Food Information Counsel, "Everything You Need to Know About Sucralose", May 1998, <a href="http://www.ific.org/publications/brochures/sucralosebroch.cfm">http://www.ific.org/publications/brochures/sucralosebroch.cfm</a> , pps. 1-4

Examiner Signature		Date Considered	
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